



Stradley Ronon Stevens & Young, LLP
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Ellen Rosen Rogoff
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February 23, 2015

VIA ECF

The Honorable Viktor V. Pohorelsky
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. and Eastern Regional Medical Center, Inc. v. Neftali Santos, Civil Action No. 1:13-cv-4680-SLT-VVP

Dear Magistrate Judge Pohorelsky:

Plaintiffs, Eastern Regional Medical Center and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. (collectively, "ERMC"), by and through their attorneys, Stradley, Ronon, Stevens & Young, LLP, hereby move the Court to compel *pro se* Defendant, Neftali Santos, to comply with the discovery issued to him by ERMC, pursuant to Fed. R. Civ. P. 37(a)(3)(B). The discovery requests at issue are post-judgment interrogatories and document requests relating to payment for ERMC's provision of medical services to Blanca Santos (Mr. Santos' late wife). On November 4, 2014, ERMC obtained a default judgment in the amount of \$143,335.62. On November 18, 2014, ERMC served Mr. Santos with Interrogatories and Requests for the Production of Documents in aid of execution of the judgment. The Interrogatories and Requests for the Production of Documents are attached to this letter as Exhibits A and B, respectively.

Mr. Santos failed to respond to this post-judgment discovery. Counsel for ERMC attempted to contact Mr. Santos by telephone and also sent a letter on December 31, 2014 by U.S. first class mail and certified mail to ascertain the status of his responses to the discovery. The letter is attached to this letter as Exhibit C. Mr. Santos never responded to counsel's letter. Because of his failure to participate in any way in the litigation, ERMC has yet to obtain any information that would assist in the collection of ERMC's judgment.

The Federal Rules of Civil Procedure require a party to respond to interrogatories and document requests within thirty (30) days of service thereof. Fed. R. Civ. P. 33(b)(2) and 34(b)(2)(A). As such, Mr. Santos' discovery responses were due by December 18, 2014. As

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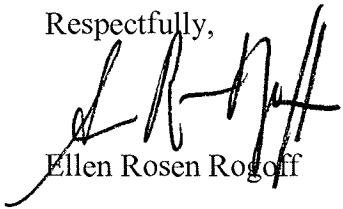
The logo for Meritas Law Firms Worldwide. It consists of a stylized graphic of three overlapping arches or peaks, followed by the word "MERITAS" in a bold, sans-serif font, with "LAW FIRMS WORLDWIDE" in a smaller font below it.

The Hon. Viktor V. Pohorelsky
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indicated above, Mr. Santos never provided any discovery responses, nor did he respond in any way to ERMC.

ERMC is entitled to receive complete discovery responses to aid in its collection of the judgment rendered in its favor in this matter. Mr. Santos' failure to provide any discovery responses at all has caused unfair prejudice to ERMC's ability to enforce its judgment. Pursuant to Fed. R. Civ. P. 37(a)(1), ERMC requests that this Court order Mr. Santos to provide full and complete answers to the Interrogatories and Requests to Produce in aid of execution within ten (10) days or be subject to sanctions upon application to the Court.

Respectfully,

A handwritten signature in black ink, appearing to read "Ellen Rosen Rogoff".

Ellen Rosen Rogoff

ERR/wfp

cc: Neftali Santos (via certified and regular mail)

EXHIBIT A

Ellen Rosen Rogoff, Esq.
Stradley Ronon Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103-7098
Telephone: (215) 564-8058
erogoff@stradley.com
*Attorneys for Plaintiffs Eastern Regional
Medical Center, Inc. and Cancer Treatment
Centers of America Professional Corporation
Of Pennsylvania, P.C.*

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK**

-----X
EASTERN REGIONAL MEDICAL CENTER, :
INC. and CANCER TREATMENT CENTERS :
OF AMERICA PROFESSIONAL : Civil Action No. 1:13-cv-4680-SLT-VVP
CORPORATION OF PENNSYLVANIA, P.C., :
:
Plaintiffs, :
:
v. :
:
NEFTALI SANTOS :
:
Defendant. :
-----X

**PLAINTIFFS' INTERROGATORIES IN AID OF EXECUTION
DIRECTED TO DEFENDANT NEFTALI SANTOS**

Please take notice that pursuant to Fed. R. Civ. P. 33, Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C., by and through their attorneys, Stradley Ronon Stevens & Young, LLP, hereby request that Defendant, Neftali Santos (“Defendant”), respond in writing to the following interrogatories within thirty (30) days after service of this request in aid of execution of the judgment entered in this action against you on or around November 4, 2014 in the amount of \$143,335.62.

The following interrogatories are requested to be answered and provided to counsel for Plaintiffs/Judgment Creditors, Stradley Ronon Stevens & Young, LLP, located at 100 Park Avenue, Suite 3210, New York, NY 10017, within thirty (30) days after service of this request.

INSTRUCTIONS

- A. As used herein, the words "you" and "your" refer to Defendant, and to his or her agents, representatives, attorneys, spouse, and all other persons acting or purporting to act on his or her behalf;
- B. As used herein, "person" means both natural and artificial persons, including business entities.
- C. Unless specified otherwise, the term "identity" or "identify" as used herein, with respect to any person, means to provide the name, current residence address, current residence telephone number, current business address, current business telephone number, and the occupation or job title of that person; with respect to any entity, means to provide the name by which the entity is commonly known, the current address of its principal place of business, and the nature of business currently conducted by that entity; with respect to any document, means to provide the date of the document, the identity of the author or preparer of the document, the nature of the document, and the title (if any) of the document, and the custodian of the document.
- D. If a precise value, amount or date cannot be supplied in responses to an Interrogatory, an approximate value, amount, or date should be provided.

INTERROGATORIES

1. Identify and describe any interest in real estate you own.

RESPONSE:

2. Identify and describe any interest in real estate you may have conveyed in the last 12 months.

RESPONSE:

3. Identify any mortgages on any real estate for which you are a mortgagee.

RESPONSE:

4. Identify anyone who is indebted to you in an amount in excess of \$100.00.

RESPONSE:

5. Identify any savings, money market, checking accounts, certificates of deposit, or other financial accounts which you own or in which you possess an interest.

RESPONSE:

6. Identify any safe deposit box or other similar storage facility you own or rent.

RESPONSE:

7. Identify any interests in any stocks, bonds, mutual funds, money market funds, or other securities or negotiable instruments which you own or in which you possess an interest.

RESPONSE:

8. Identify any jewelry, furniture, office equipment, precious metals or stones, television sets, radios, record players, antiques or collectibles, electrical appliances, power or hand tools, photographic equipment, works of art, furs, musical instruments, rare books or maps, collections of coins or stamps, silver or china, or any other personal property with an individual or collective value exceeding \$250.00 which you own or in which you possess an interest.

RESPONSE:

9. Identify any trust funds to which you are a beneficiary.

RESPONSE:

10. Identify any patents, inventions, trade names, trade secrets, trademarks, service marks or copyrights which you own or in which you have an interest.

RESPONSE:

11. Identify any warehouse receipts, bills of lading or other documents of title which you own or in which you possess an interest.

RESPONSE:

12. Identify any lawsuits pending in which you are a plaintiff or any verdict of judgment which has been entered in your favor.

RESPONSE:

13. Identify any and all claims or lawsuits against third parties you are currently entitled to maintain.

RESPONSE:

14. Identify any loans or notes in which you have acted as co-maker, guarantor or endorsers within the last three years.

RESPONSE:

15. Identify and describe any contracts of any kind to which you are a party.

RESPONSE:

16. Identify and describe any money owed to you by any governmental body.

RESPONSE:

17. Identify and describe any claims under any policy of insurance you have made within the past three years.

RESPONSE:

18. Identify and describe any interest which you own or in which you possess an interest in any partnership or limited partnership.

RESPONSE:

19. Identify and describe any interest which you own or possess in any business, LLC, corporation, partnership or other joint venture.

RESPONSE:

20. Identify and describe any interest you possess in any asset or item of value individually or collectively in excess of \$5,000.00 (other than those previously identified herein).

RESPONSE:

21. Identify and describe any gifts, in whole or in part, totaling more than \$250.00 you made to anyone or any entity.

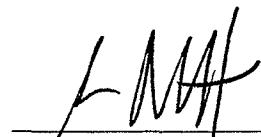
RESPONSE:

22. Identify any property in which you have an interest that is rented and for which you receive rental income.

RESPONSE:

23. Identify and describe any property in which you have an interest that was not otherwise disclosed in the preceding interrogatories.

RESPONSE:



Ellen Rosen Rogoff, Esquire
Stradley Ronon Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103
Telephone: (215) 564-8058
Fax: (215) 564-8120
Email: erogoff@stradley.com

Dated: November 17, 2014

Attorneys for Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania P.C.

CERTIFICATE OF SERVICE

I, Ellen Rosen Rogoff, hereby certify that on this 17th day of November, 2014, a true and correct copy the foregoing Interrogatories was duly served upon the following via certified mail, return receipt requested and first-class mail, postage prepaid:

Neftali Santos
13033 236th Street
Rosedale, NY 11422-1217
Pro Se Defendant

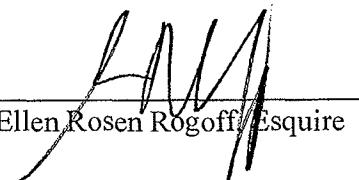

Ellen Rosen Rogoff Esquire

EXHIBIT B

Ellen Rosen Rogoff, Esq.
Stradley Ronon Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103-7098
Telephone: (215) 564-8058
erogoff@stradley.com
*Attorneys for Plaintiffs Eastern Regional
Medical Center, Inc. and Cancer Treatment
Centers of America Professional Corporation
Of Pennsylvania, P.C.*

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK**

-----X
EASTERN REGIONAL MEDICAL CENTER, :
INC. and CANCER TREATMENT CENTERS :
OF AMERICA PROFESSIONAL : Civil Action No. 1:13-cv-4680-SLT-VVP
CORPORATION OF PENNSYLVANIA, P.C., :
: :
Plaintiffs, :
: :
v. :
: :
NEFTALI SANTOS, :
: :
Defendant. :
-----X

**PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT NEFTALI SANTOS**

Pursuant to Fed. R. Civ. P. 34 and 69(a)(2), you are requested to produce for Plaintiffs'/Judgment Creditors', Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C., inspection and copying, the following documents and records in aid of execution of the judgment entered in this action against you on or around November 4, 2014 in the amount of \$143,335.62.

The following documents and records are requested to be made available for inspection and copying by counsel for Plaintiffs/Judgment Creditors, Stradley Ronon Stevens & Young,

LLP, located at 100 Park Avenue, Suite 3210, New York, NY 10017, within thirty (30) days after service of this request.

In the event copies of any federal income tax returns requested are not in your possession, then it is requested that you obtain from the proper authorities the necessary form to authorize counsel for Plaintiffs/Judgment Creditors to obtain copies of those returns, that you duly fill out and sign the forms so as to permit counsel's access to the returns, and that you submit the completed form with the other documents and records furnished in response to this request.

REQUESTS

1. All those financial and accounting records identified by you and admitted to be in your custody in your Answers to Interrogatories propounded on you, simultaneously herewith, inquiring as to your financial and accounting records and as to the location and availability of those records.

RESPONSE:

2. All documents showing deeds, rents, payments on mortgages, tax assessments, offers of sale, appraisals and/or valuations for any property in which you have an interest or have had in interest in the last ten (10) years.

RESPONSE:

3. Copies of your federal income tax returns filed by you with the Internal Revenue Service for the past ten (10) years.

RESPONSE:

4. Any and all documents evidencing ownership and/or value of any of the property referenced in your Answers to Interrogatories propounded on you, simultaneously herewith.

RESPONSE:

5. All documents relating to any financing that you have obtained or attempted to obtain in the last ten (10) years.

RESPONSE:

6. All documents relating to any lines of credit you have obtained or attempted to obtain in the last ten (10) years.

RESPONSE:

7. All documents reflecting any interest you have or have had in any corporation, general partnership, limited partnership, joint venture or other business entity in the last ten (10) years.

RESPONSE:

8. All certificates of deposit, savings certificates, certificates of stock, bills of exchange, bonds, debentures and other negotiable instruments and securities held by you directly or indirectly, or in which you have any ownership or interest, and all statements of account and other documents evidencing such ownership or interest from the last ten (10) years.

RESPONSE:

9. All insurance policies of which you are or were the owner, or in which you have or have had any interest in the last ten (10) years.

RESPONSE:

10. Any and all documents evidencing any claim you made under any insurance policy during the last ten (10) years.

RESPONSE:

11. All bank records, including checking account books and statements and savings account books and statements from all banks in which you have or have had money on deposit over the last ten (10) years.

RESPONSE:

12. All statements, invoices, and other documents from brokers or brokerage services in connection with any interest held, directly or indirectly, by you, for the last ten (10) years.

RESPONSE:

13. All documents reflecting any interest you have or have had in any money market fund or mutual fund, for the last ten (10) years.

RESPONSE:

14. Any and all inventories of all property in which you have an interest.

RESPONSE:

15. All documents reflecting transfers by or to you of any property, whether real or personal, whether by gift or otherwise, including transfers of entireties property, in the last ten (10) years.

RESPONSE:

16. All documents evidencing your right to receive payment for property of any kind, including, but not limited to, mortgages, rents, notes payable, options or agreements.

RESPONSE:

17. All documents evidencing your ownership of or interest in any real estate or personal property, including, but not limited to, co-operative apartments, condominiums, homes, cars, boats, airplanes, antiques, machinery, computer equipment, and office equipment.

RESPONSE:

18. All documents evidencing or reflecting any present or anticipated claim or cause of action you have any against any person or entity on account of any matter, cause or thing whatsoever.

RESPONSE:

19. All documents evidencing or reflecting any present or future interest in settlement proceeds arising out of any lawsuit filed in any court of law or equity.

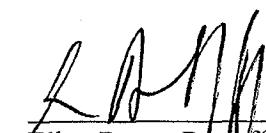
RESPONSE:

20. All documents evidencing, referring or relating to your right to receive money or monies, however derived, from any source, including, without limitation, royalties, retainers, accounts receivable, commissions, fees, judgments, interest, dividends and distributions for the last ten (10) years.

RESPONSE:

21. All documents evidencing the locations of all banks or other institutions in which you rent, rented or had access to a safe deposit box over the last ten (10) years.

RESPONSE:



Ellen Rosen Rogoff, Esquire
Stradley Ronon Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103
Telephone: (215) 564-8008
Fax: (215) 564-8120
Email: erogoff@stradley.com

Dated: November 12, 2014

Attorneys for Plaintiffs, Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C.

CERTIFICATE OF SERVICE

I, Ellen Rosen Rogoff, hereby certify that on this 17th day of November, 2014, a true and correct copy the foregoing Plaintiffs' Requests for the Production of Documents was duly served upon the following defendant via certified mail, return receipt requested and first-class mail, postage prepaid:

Neftali Santos
13033 236th Street
Rosedale, NY 11422-1217
Pro Se Defendant

Ellen Rosen Rogoff, Esquire

EXHIBIT C



Stradley Ronon Stevens & Young, LLP
Suite 2600
2005 Market Street
Philadelphia, PA 19103-7018
Telephone 215.564.8000
Fax 215.564.8120
www.stradley.com

Adam C. Sasso
(215) 564-8792
asasso@stradley.com

December 31, 2014

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
& U.S. FIRST-CLASS MAIL**

Mr. Neftali Santos
13033 236th Street
Rosedale, NY 11422-1217

Re: Eastern Regional Medical Center, Inc. and Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. v.

Dear Mr. Santos:

As you know, I am an attorney for Cancer Treatment Centers of America Professional Corporation of Pennsylvania, P.C. and Eastern Regional Medical Center, Inc. (These two entities are collectively referred to as "ERMC.")

I am writing to follow up on the status of the Interrogatories and Requests for Production of Documents that were sent to you on November 18, 2014. Per the statute cited in these documents, you had until December 18, 2014 to respond to these discovery requests. To date, we have not received any responses or documents from you in response to this set of requests.

Please complete your responses to the Interrogatories and provide the documents requested in the Requests for the Production of Documents. If I do not hear from you or have not received your responses to the Interrogatories and Requests for Production of Documents by January 12, 2014, I will file a motion with the Court compelling you to respond to the discovery.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.

Philadelphia, PA • Harrisburg, PA • Malvern, PA • Cherry Hill, NJ • Wilmington, DE • Washington, DC

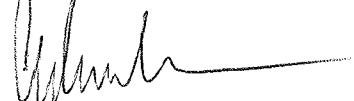
A Pennsylvania Limited Liability Partnership



Mr. Neftali Santos
December 31, 2014
Page 2

I have enclosed additional copies of the Interrogatories and Requests for Production of Documents for your convenience.

Very truly yours,



Adam C. Sasso
Licensed to Practice Law in
Pennsylvania and New Jersey

ACS/wfp
Enclosure

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED SHALL BE USED FOR THAT PURPOSE.**

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